

Remarks

Reconsideration of this Application is respectfully requested.

Upon entry of the foregoing amendment, claims 1-40 are pending in the application, with claims 1, 25 and 30 being the independent claims. No new claims are added. These changes are believed to introduce no new matter, and their entry is respectfully requested.

Based on the above amendment and the following Remarks, Applicants respectfully request that the Examiner reconsider all outstanding objections and rejections and that they be withdrawn.

Claim Objections

In the Office Action, the Examiner objected to claims 21 and 33 as allegedly failing to further limit the subject matter of a previous claim. Specifically, the Examiner asserts that claim 21 merely repeats the limitations found in claim 20. Applicants respectfully disagree. Claim 21 recites several steps not required by claim 20, and therefore properly further defines the elements claimed in claim 20. The Examiner likewise asserts that claim 33 merely repeats the limitations found in claim 32. Again, Applicants disagree. Claim 33 recites, for example, a removing step relating to a pinged output file. While claim 32 recites a similar removing step, this step relates to a negative response file. Thus, claim 33 properly further defines the elements claimed in claim 32. Applicants respectfully submit that the Examiner's claim objections should be withdrawn.

Claim Rejections – 35 U.S.C. § 102

In the Office Action, the Examiner rejected claims 1, 2, 4, 6-14, 19-22, 30-33 and 35-39 under 35 U.S.C. § 102(b) as being anticipated by U.S. Patent No. 5,710,885 to Bondi. Specifically, with respect to independent claim 1, the Examiner asserts, among other things, that Bondi discloses a method of querying computers connected to a network, including steps of “providing a range of addresses to be queried, said range being defined by a beginning address and an ending address” and “incrementing the address until every address in the range of addresses has been queried.” Office Action at 2-3 (citations omitted).

Applicants respectfully disagree. Bondi describes various aspects of network management systems that use the simple network management protocol (SNMP), as is known in the art. These systems are described for use with a network having a network management station and a plurality of managed nodes. Col. 3, ll. 31-33. During the node discovery and verification phases the Examiner relies upon, the network manager is described as sending pings to “each node identified in, for example, the [address resolution protocol] cache and any known router tables.” Thus, the system of Bondi appears to “discover” the relevant network based on a list of known nodes, not based on a range defined by beginning and ending addresses. There is no disclosure or suggestion of “providing a range of addresses to be queried, said range being defined by a beginning address and an ending address” and “incrementing the address until every address in the range of addresses has been queried,” as is recited in independent claim 1. In contrast to the system of Bondi, such a query could potentially include addresses previously known as well as new and/or unknown addresses.

Nevertheless, to more clearly define the present invention, Applicants have amended independent claim 1 to further recite a step of “initiating a process that examines content at at least a first address from which a reply is received.” This and other recitations in claim 1 make clear that aspects of the invention relate to content available over a network. See also, claim 24 (dependent from claim 1), which recites “filtering addresses listed in the response output file for content based upon user-specified criteria.” Thus, an embodiment of a method of the invention might be used with, for example, a web filter to shield children from objectionable Internet content. Bondi appears to relate to identifying devices like “a computer, router or printer.” Col. 1, ll. 28-34. Claims 2-23 recite still further distinguishing features.

Independent claim 30 has also been amended, and now includes the recitation that “if a reply is received from the selected first IP address in response to the first request, content at the selected first IP address is scheduled to be examined based on the positive response record associated with the selected first IP address created in the positive response file.” See also, claim 40 (dependent from claim 30), which recites a step of “filtering addresses listed in the positive response file for content based upon user-specified criteria.” Claims 31-39 recite further distinguishing features of the present invention.

Because Bondi does not disclose or suggest at least these features of independent claims 1 and 30, Applicants respectfully request that the Examiner’s rejections under 35 U.S.C. § 102(b) be withdrawn and that claims 1-24 and 30-40 be allowed.

Claim Rejections – 35 U.S.C. § 103

Claims 5, 24, 34 and 40

In the Office Action, the Examiner rejected claims 5, 24, 34 and 40 under 35 U.S.C. § 103(a) as being unpatentable over Bondi in view of U.S. Patent No. 5,787,252 to Schettler et al. Applicants respectfully disagree. Claims 5 and 24 are dependent on independent claim 1, and therefore require all of its features. As discussed above, Bondi fails to disclose or suggest all features of claim 1, such as “providing a range of addresses to be queried, said range being defined by a beginning address and an ending address,” “incrementing the address until every address in the range of addresses has been queried” and “initiating a process that examines content at at least a first address from which a reply is received.” Schettler does not remedy these deficiencies in the teachings of Bondi. Claims 5 and 24 recite further patentable features, and should be allowed.

Claims 34 and 40 are directly or indirectly dependent on independent claim 30, and therefore require all of its features. As discussed above, Bondi fails to disclose or suggest all features of claim 30, such as the recitation that “if a reply is received from the selected first IP address in response to the first request, content at the selected first IP address is scheduled to be examined based on the positive response record associated with the selected first IP address created in the positive response file.” Schettler does not remedy these deficiencies in the teachings of Bondi. Claims 34 and 40 recite further patentable features, and should be allowed.

Furthermore, regarding claims 24 and 40, Applicants disagree with the Examiner’s assertion that Schettler teaches “a system...that filters addresses listed in the response output file for content.” The portion of Schettler cited by the Examiner (col. 6, ll. 48-60) relates to

“allowable objects or nonallowable objects,” (col. 6, ll. 55-57), not content (objects include a “router, a repeater, a bridge, etc.”) col. 6, ll. 41-43. For at least this additional reason, claims 24 and 40 should be allowed.

Claim 23

In the Office Action, the Examiner rejected claim 23 under 35 U.S.C. § 103(a) as being unpatentable over Bondi in view of U.S. Patent No. 5,101,348 to Arrowood et al. Applicants respectfully disagree. Claim 23 depends from independent claim 1, and therefore requires all of its features. As discussed above, Bondi fails to disclose or suggest all features of claim 1, such as “providing a range of addresses to be queried, said range being defined by a beginning address and an ending address,” “incrementing the address until every address in the range of addresses has been queried” and “initiating a process that examines content at at least a first address from which a reply is received.” Arrowood does not remedy these deficiencies in the teachings of Bondi. Claim 23 recites further patentable features, and should be allowed.

Furthermore, Applicants disagree with the Examiner’s interpretation of the cited portions of the references. The Examiner asserts that Bondi (at col. 2, ll. 55-62) discloses “the idea of searching a range of addresses in tandem.” Office Action at 9. Applicants find no such teaching in the cited portion. Similarly, in the portion of Arrowood cited by the Examiner (col. 3, ll. 3-10), applicants find no suggestion of the “pool[ing of] network devices in order to obtain a network device layout,” as asserted by the Examiner. Thus, Bondi and Arrowood fail to disclose or suggest all features of claim 23. Moreover, even if these features were present, the Examiner has not demonstrated a proper motivation to combine the teachings of the references.

Claims 17 and 28

In the Office Action, the Examiner rejected claim 17 under 35 U.S.C. § 103(a) as being unpatentable over Bondi in view of U.S. Patent No. 5,671,357 to Humblet et al. Applicants respectfully disagree. Claim 17 depends from independent claim 1, and therefore requires all of its features. As discussed above, Bondi fails to disclose or suggest all features of claim 1, such as “providing a range of addresses to be queried, said range being defined by a beginning address and an ending address,” “incrementing the address until every address in the range of addresses has been queried” and “initiating a process that examines content at at least a first address from which a reply is received.” Humblet does not remedy these deficiencies in the teachings of Bondi.

In fact, Applicants disagree with the Examiner’s characterization of Humblet. The Examiner asserts that “Humblet teaches that a network node discovery program should discontinue once the predetermined time has elapsed, regardless of whether every IP address in the range of IP addresses has been queried.” Office Action at 10 (citing col. 2, ll. 6-22). Again, Applicants find no such teaching. The cited portion of Humblet refers to the “length of the update period” and therefore appears to relate to the amount of time *between* updates, not the duration of a single query nor “discontinuing” a query “regardless of whether every address...has been queried,” as is claimed. For at least this additional reason, claim 17 should be allowed.

Relying on this same citation to Humblet, the Examiner rejected claim 28 as being unpatentable over Liu in view of Humblet. The Examiner admits that Liu does not disclose “discontinuing” a query “regardless of whether every address...has been queried,” as is claimed.

Because Humblet does not remedy this deficiency in the teachings of Liu, this rejection should be withdrawn and claim 28 should be allowed.

Claims 15, 16, 25 and 26

In the Office Action, the Examiner rejected claims 15 and 16 under 35 U.S.C. § 103(a) as being unpatentable over Bondi in view of U.S. Patent No. 6,574,664 to Liu et al. Applicants respectfully disagree. Claims 15 and 16 depend directly or indirectly from independent claim 1, and therefore require all of its features. As discussed above, Bondi fails to disclose or suggest all features of claim 1, such as “providing a range of addresses to be queried, said range being defined by a beginning address and an ending address,” “incrementing the address until every address in the range of addresses has been queried” and “initiating a process that examines content at at least a first address from which a reply is received.” Liu does not remedy these deficiencies in the teachings of Bondi.

The portion of Liu cited by the Examiner (col. 6, ll. 6-10) merely describes “start[ing] at an initial IP address and increment[ing] this initial IP address.” Liu does not provide any detail of the method of incrementing and does not remotely suggest the specific method recited in claims 15 and 16. Relying on this same citation to Liu, the Examiner rejected claims 25 and 26 as being unpatentable over Liu alone. As above, the Examiner has pointed to no suggestion of the specific method of incrementing an IP address as recited in claims 25 and 26. For at least these reasons, the Examiner’s assertion that one skilled in the art would know that “IP addresses could be incremented in numerous different ways and orders” does not render the methods of claims 15, 16, 25 and 26 obvious, and these claims should be allowed.

Claim 27

In the Office Action, the Examiner rejected claim 27 under 35 U.S.C. § 103(a) as being unpatentable over Liu in view of Schettler. Claim 27 is dependent on independent claim 25, and therefore requires all of its features. As discussed above, Liu fails to disclose or suggest the method of claim 25. Schettler does not remedy these deficiencies in the teachings of Liu. For at least this reason, claim 27 should be allowed.

Claim 29

In the Office Action, the Examiner rejected claim 29 under 35 U.S.C. § 103(a) as being unpatentable over Liu in view of Bondi. The Examiner admits that Liu does not disclose the features of claim 29, and relies on the teaching of Bondi to remedy this deficiency. However, Applicants respectfully disagree with the Examiner's characterization of the cited portions of Bondi. The cited portions (col. 6, ll. 53-55; col. 7, ll. 6-22 and 36-38) discuss the problem of a "flood of pings" and the associated "rate of ping transmission." However, there is no suggestion of "halting the querying of IP addresses through operator intervention" or "resuming the querying of IP addresses through operator intervention" as recited in claim 29. Thus, Applicants respectfully assert that claim 29 should be allowed.

Conclusion

All of the stated grounds of objection and rejection have been properly traversed, accommodated, or rendered moot. Applicants therefore respectfully request that the Examiner reconsider all presently outstanding objections and rejections and that they be withdrawn. Applicants believe that a full and complete response has been made to the outstanding Office Action and, as such, the present application is in condition for allowance. If the Examiner believes, for any reason, that personal communication will expedite prosecution of this application, the Examiner is invited to telephone the undersigned at the number provided. Prompt and favorable consideration of this Amendment is respectfully requested.

Respectfully submitted,



Derek J. Jardieu (Reg. No. 44,483)

Date: January 30, 2004

HOWREY SIMON ARNOLD & WHITE, LLP
Box No. 34
1299 Pennsylvania Avenue, N.W.
Washington, D.C. 20004-2402
(202) 783-0800